

Proposed Rules for Surface Water Treatment and Arsenic

Rich Hoey
Acting Director
Office of Drinking Water



HELPING TO ENSURE SAFE AND RELIABLE DRINKING WATER

Mission

**To protect the health
of the people of
Washington State
by assuring safe
and reliable
drinking water.**



Purpose

- 💧 **Provide brief overview of proposed regulations**
 - **Arsenic**
 - **Long Term 1 Enhance Surface Water Treatment Rule (LT1ESWTR)**
- 💧 **Seek State Board of Health approval**

Proposed Rules

- 💧 Both federal Safe Drinking Water Act rules
- 💧 Under “primacy” agreement with EPA, state must adopt rules at least as stringent as federal rules
- 💧 In both cases, DOH recommends adopting federal rules as written

Water Systems Regulated in WA

- 💧 **Group A – subject to state and federal requirements**
 - 15 or more connections and/or 25 or more people
 - Community
 - Non-Transient Non-Community (NTNC)
 - Transient Non-Community (TNC)

- 💧 **Group B – subject to state requirements**
 - 2 – 14 connections and less than 25 people

Arsenic Rule - Background

- 💧 **Federal Rule – Safe Drinking Water Act**
- 💧 **Elevated arsenic linked to multiple adverse health effects**
- 💧 **Original arsenic standard set in 1942 at 50 parts per billion (ppb) by USPHS**
 - **Standard focused on long-term chronic effects**
- 💧 **Long debate over the need to update the standard**

New MCL

- 💧 **High degree of controversy in setting new arsenic standard**
 - Both policy and science heavily debated
 - National Academy of Sciences conclusions
- 💧 **June 2000 – proposed at 5 ppb**
- 💧 **Oct 2001 – final MCL set at 10 ppb**
- 💧 **EPA initially mistakenly adopted the new MCL as 0.01 mg/L, later corrected to 0.010 mg/l**

Impacted Water Systems

- 💧 **All Group A community and NTNC systems**
 - Approximately 200 do not meet the 10 ppb standard in WA state
- 💧 **Does not apply to Group A TNC systems**
 - Arsenic standard set to prevent long-term exposure effects

Proposed Regulations

- 💧 **Adopt new federal rule and standard as currently written**
 - **0.010 mg/l**
 - **Apply to community and NTNC systems**
 - **Do not apply to TNC systems**
- 💧 **Eliminate current standard of 50 ppb for TNC systems**
 - **Avoid dual standards**

Compliance Timeline

- 💧 **New standard effective under federal rule – February 2002**
- 💧 **Compliance date – January 2006**
 - **EPA recognized the cost and complexity of remediating arsenic above 10ppb**

Group A Transient Non-Community Systems

- 💧 **Predominantly transient (short-term use)**
 - Restaurants, campgrounds, rest areas, etc.
- 💧 **Some TNC systems serve small permanent populations (< 25 people)**
 - 1,600 systems serve 460,000 transient persons plus 6,500 resident individuals
- 💧 **Initial monitoring for arsenic still required**

Immediate Health Threats

- 💧 At sufficient levels, arsenic can pose acute health effects
- 💧 If acute levels detected, all systems will be required to:
 - Notify the public
 - Reduce the level of arsenic provided to consumers
- 💧 Authority provided under general public health statutes

Public Involvement Process

- 💧 **Public forums held at three different locations around the state.**
- 💧 **Direct mailing of rule notice to regulated community and interested parties.**
- 💧 **Draft rule on internal and external web page for informal comment.**

Public Comments

- 💧 Both the MCL should be higher and lower
- 💧 Both to apply and not apply new MCL to Group A TNC systems
- 💧 Health protection message must be clear and consistent



Questions?

Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR)

- 💧 **Federal Rule – Safe Drinking Water Act**
- 💧 **Provides increased protection against gastrointestinal illness from *Cryptosporidium***
- 💧 **Several outbreaks including 1993 Milwaukee Outbreak – 400,000 ill and 50 deaths**

LT1ESWTR Requirements

- **More stringent turbidity limits and monitoring for conventional and direct filtration plants serving less than 10,000 people**
- **More stringent requirements for systems using bag and cartridge filters**
- **Similar to Interim Enhanced SWTR requirements for large systems adopted in 2003**
- **About 150 systems in Washington subject to rule.**

LT1ESWTR Requirements - Continued

- 💧 Filtering systems must remove 2 log (99 percent) of *Cryptosporidium*
- 💧 New turbidity standards
- 💧 Must monitor individual filter turbidities
- 💧 Compliance required by January 2005

Comments Received on LT1ESWTR

- 💧 **No comments have been received from either the public or water systems on the proposed rule**



Questions?

For more information:

💧 LT1ESWTR and Arsenic

Bill Thurston

360-236-3126

william.thurston@doh.wa.gov

💧 General

Rich Hoey

360-236-3110

rich.hoey@doh.wa.gov